

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GARY JOHNSON,

Plaintiff,

v.

AMERICAN RECOVERY SERVICE, et al.,

Defendants.

CIVIL ACTION

NO. 24-1591-KSM

ORDER

AND NOW, this 4th day of October 2024, upon consideration of Defendants' Motion to Dismiss Plaintiff's Complaint Pursuant to F.R.C.P. 12(b)(6) (Doc. No. 13) and Plaintiff's opposition brief (Doc. No. 15), it is **ORDERED** that the motion is **GRANTED**, and Plaintiff's Amended Complaint is **DISMISSED WITHOUT PREJUDICE**. If Plaintiff can cure the deficiencies identified in the accompanying Memorandum, he may file a second amended complaint. Any second amended complaint shall be filed by **October 18, 2024**.

IT IS SO ORDERED.

/s/Karen Spencer Marston

KAREN SPENCER MARSTON, J.